

FACT SHEET

January 25, 2008

Applicant: McDonald Sanitation Services, L.L.C.
P.O. Box 107
Thibodaux, Louisiana 70302
Ms. Melinda Rodrigue, Owner

AGENCY INTEREST NUMBER: 42437
PERMIT NUMBER: LASS0042437
TEMPO ID NUMBER: PER20040001

Application Type:

Sewage Sludge and Biosolids Use or Disposal Permit

Permit Action:

Draft Sewage Sludge and Biosolids Use or Disposal Permit Package

Physical Location of Facility:

McDonald Sanitation Services, L.L.C. is located at 1132 Hwy. 3185, Thibodaux, Lafourche Parish, Louisiana.

Preparation Type:

McDonald Sanitation Services, L.L.C. is a pumper/hauler of sewage sludge (includes domestic septage and portable toilet waste). They also plan to pump and haul grease that is generated from a *Food Service Facility* and mix and prepare the grease with the Sewage Sludge. The sewage sludge and grease is proposed to be prepared by undergoing de-watering and solidification through the use of "De-watering Boxes".

Type of Use or Disposal Method:

The de-watered and solidified sewage sludge will then be disposed in the Colonial (BFI) Landfill at 5320 Hwy. 70, Sorrento, Louisiana. The present contact at the Colonial Landfill is Mr. Ricky Falgoust at telephone number (985) 675-8021. The mailing address for the Colonial Landfill is P.O. Box 605, Sorrento, Louisiana 70778.

Other Pertinent Information:

McDonald Sanitation Services, L.L.C. is an existing facility that utilized a surface impoundment for the disposal of domestic septage/sewage sludge, grease trap waste, and portable toilet waste. The facility was once owned by Mr. Blake McDonald under the name of McDonald's Oxidation Services, Inc.

The facility does have the appropriate LPDES permit for the discharge of wastewater from the surface impoundment that was issued as LAG541344 on 10/17/2005. The permit expires on 02/29/2008. On 01/25/2008, I notified the LPDES Water Permits personnel of the upcoming expiration of this permit.

June 19, 2004 - the facility that was owned and operated by Mr. Blake McDonald was issued a Compliance Order (Enforcement Tracking No. MM-C-04-0010). The Compliance Order found, among other violations, the facility to be in violation of its LPDES permit and also of not being in compliance with the Solid Waste regulations. Therefore, the facility was ordered, among other actions, to cease disposal in the surface impoundments and to take whatever steps to become in compliance with the Solid Waste regulations.

September 8, 2004 - T. Baker Smith, Inc. on behalf of the facility that was owned and operated by Mr. Blake McDonald submitted a Solid Waste Type III permit application to the Permits Division for the dewatering and solidification of domestic septage, sewage sludge, grease trap pumpings, and portable toilet waste.

September 10, 2004 - The application was deemed to be "administratively" complete.

November 4, 2004 - The application further underwent an internal Department review and was found to not be in conformity with sections of LAC 33:VII or needed further clarification. Therefore, a Notice of Deficiency mailed out to the original owner/operator.

Neither the facility nor T. Baker Smith, Inc. responded to the Notice of Deficiency until the facility was contacted, via telephone, to determine if they had sustained any damage from Hurricanes Katrina and/or Rita in October of 2005. Upon contact of the facility, the Department was notified that the facility had changed ownership and had also changed its name.

The Department was notified during this telephone conversation that the new owner was Ms. Melinda Rodrigue and the name of the facility was McDonald Sanitation Services, L.L.C. The owners were then explained that they needed to "officially" notify the Department of the ownership and name change. The new owners were also explained that a permit application had to be submitted under their name and signature.

September 21, 2005 - T. Baker Smith, Inc. submitted a revised application on behalf of the new owners. The application was basically a repeat of the original permit application with some revisions made to apparently respond to the original Notice of Deficiency. Although the new Sewage Sludge Use or Disposal Regulations had gone into effect under Emergency Rule OS006E, the application submitted was basically a Solid Waste Type III Permit Application. The facility owners were contacted via telephone call and informed that the Department would utilize the Solid Waste application but would review the application based upon the requirements of the new regulations. The facility owners were also informed that the Department needed "official" documents indicating that the previous owners were willing to transfer the original permit application to the new owners. **NOTE:** Contents of the new application indicated that the sale/transfer of the facility took place on **March 18, 2005**.

January 31, 2006 - T. Baker Smith, Inc., on behalf of the new owners, submitted notarized documents that acknowledged the transfer of the original permit application to the new owners. However, there was no "official" request to the Department for transfer of permits and ownership.

February 14, 2006 - The DEQ Application Verification Group sent a letter to T. Baker Smith, Inc. that notified them that additional information was needed for the Name/Operator/Ownership Change.

March 14, 2006 - T. Baker Smith, on behalf of McDonald Sanitation Services, L.L.C. submitted an eleven (11) page document in response to the February 14, 2006 DEQ letter.

March 27, 2006 - The DEQ Application Verification Group sent out a "Second Request" for Additional Information to T. Baker Smith regarding the Name/Operator/Ownership Change. I am not certain as to why the second request was sent out due to the fact that a response was sent to DEQ on March 14, 2006 (see above). I could not find any responses from T. Baker Smith to DEQ regarding this second request for additional information.

March 27, 2006 - An email from Mr. Brian Baker, DEQ Water Quality Engineering Staff, indicated that Mr. Baker had contacted Mr. Horace Thibodaux of T. Baker Smith, Inc. and was apparently informed by Mr. Thibodaux that the McDonald Sanitation Services de-watering and solidification project was to take effect in stages. The first phase was to remove and dry out the sewage sludge from the existing pond and

the second phase was to expand the separator unit to accommodate flows and to use the pond for treatment of the wastewater extracted during the de-watering and solidification process.

March 29, 2006 – The DEQ Application Verification Group sent out the “official” Transfer of ownership to McDonald Sanitation Services, L.L.C.

April 11, 2006 – Based upon the telephone conversation between Mr. Baker and Mr. Thibodaux of March 27, 2006, a site visit was conducted to clarify discrepancies between what was proposed in the permit application and what was provided during the telephone conversation. As a result of discussions during the site visit, the owners/operators of the facility indicated that they may consider the treatment of their sewage sludge for land application purposes. They were informed that, if they were to make a decision to treat their sewage sludge for land application purposes, a revised permit application would have to be forwarded to DEQ.

July 27, 2006 – Due to the fact that (1) the Department did not receive any revised permit application and (2) the “official” transfer of ownership was granted to McDonald Sanitation Services, L.L.C., the permit application that was submitted in **September of 2005** was given a “final” review to determine if a Sewage Sludge and Biosolids Use or Disposal Permit could be drafted based upon the new regulations and what is provided in the September 2005 permit application. Based upon the final review, it was determined that additional information would be needed to allow for the drafting of a permit; therefore, a letter requesting additional information was drafted and routed for review.

The additional information needed was as follows:

1. Facility Category (Select all that applies.):

- ☐ Publicly Owned Treatment Works
- ☐ Privately Owned Sanitary Wastewater Treatment Facility
(Includes Private and Commercial Businesses and Industrial or Petro-Chemical Facilities that treat their sanitary wastewater separate from any process wastewater.)
- ☐ Commercial Preparer of Sewage Sludge (Includes a solidification/dewatering facility)
- ☐ Commercial or Private Land Applier of Treated Sewage Sludge (Biosolids)
- ☐ Owner/Operator of a Sewage Sludge Incinerator

2. _____ Tons/Yr of sewage sludge that is received from off-site on a Dry Weight Basis.

3. _____ Tons/Yr of grease trap waste that is received from off-site (Dry Weight Basis)

4. Is the sewage sludge or grease trap waste that is received from off-site totally generated at a facility that is owned/operated by the applicant?

☐ Yes

☐ No → 1. Provide the names, address, owner/operator name, contact phone number, and the Tons/Yr received for each off-site location as **APPENDIX GREASE TRAP WASTE – Offsite.**

5. As submitted in the permit application, A “Certificate of Liability Insurance” is being utilized as the means to satisfy the Financial Assurance requirement for the facility. However, as previously indicated in the Notice of Deficiency issued to the previous owners on November 4, 2004, the General Commercial Liability Insurance Certificate is insufficient to cover the necessary liability requirements. Please see the

requirements set forth at LAC 33:IX.6907 for Financial Assurance and submit the necessary documentation to fully meet all of these requirements for financial assurance.

6. The information provided in the maps are incomplete; therefore, please provide the following information regarding Siting Distances (Buffer Zones):

a. Is the Facility located within the boundaries of a legally zoned and established Industrial Park?

☐ **Yes** → Provide documentation that the Facility is located within the boundaries of a legally zoned and established Industrial Park as **APPENDIX SITE & OP – IP** (The documentation must include a signed legal document and maps showing the location of the Industrial Park.).

☐ **No** → If the selection is “No”, indicate if the Facility meets the following buffer zones:

i. 500 feet from an established home residence –

☐ **Yes**

☐ **No** → Provide a copy of the special notarized affidavit that was executed by the owner granting waiver of the 500 feet buffer down to 200 feet as **APPENDIX SITE & OP – WAIVER HOME**.

ii. 1,000 feet from an established school, hospital, institution, day-care facility, nursing home, hotel/motel, playground, park, golf course or restaurant/food establishment -

☐ **Yes**

☐ **No** → Provide a copy of the special notarized affidavit that was executed by a qualified representative of the established school, hospital, institution, day-care facility, nursing home, hotel/motel, playground, park, golf course or restaurant/food establishment granting waiver of the 1,000 feet buffer down to 200 feet as **APPENDIX SITE & OP – WAIVER OTHER B**.

iii. 300 feet from a private potable water supply or a private water supply elevated or ground storage tank –

☐ **Yes**

☐ **No** → Provide a copy of the special permission that was granted by the private water supply or private water supply elevated or ground storage tank owner that allows the locating of the Facility at a distance of less than 300 feet from a private potable water supply or a private water supply elevated or ground storage tank **APPENDIX SITE & OP – WAIVER PRIVATE H₂O**.

iv. 300 feet from a public potable water supply or a public water supply elevated or ground storage tank –

☐ **Yes**

☐ **No** → Provide a copy of the special permission that was granted by the Department of Health and Hospitals that allows the locating of the Facility at a distance of less than 300 feet from a public potable water supply or a public water supply elevated or ground storage tank **APPENDIX SITE & OP – WAIVER PUBLIC H₂O**.

b. Is this facility located on an airport property?

☐ **Yes** → (a) Provide a copy of the approval from the U.S. Department of Transportation's Federal Aviation Administration (FAA) as **APPENDIX SITE & OP – FAA**.

(b) Is the facility 1,200 feet from any aircraft's approach or departure airspace or *Air Operations Area* or the distance called for by the U. S. Department of Transportation Federal Aviation Administration's airport design requirements for a facility that prepare or compost only sewage sludge or blend, mix, or compost sewage sludge and have only woodchips or yard waste (e.g., leaves, lawn clippings, or branches) as feed stock or supplements ☐ Yes ☐ No

☐ No → **Check the category that applies below and Respond to Corresponding Question:**

☐ The airport serves only piston-powered aircrafts and does not sell Jet-A fuel.

Is the facility 5,000 feet from any airport property boundary (including any aircraft's approach or departure airspace or *Air Operations Area*)?

☐ Yes ☐ No

☐ The airport sells Jet-A fuel and serves turbine-powered aircrafts or sells Jet-A fuel and is designed to serve turbine-powered and/or piston-powered aircrafts.

Is the facility 10,000 feet from any airport property boundary (including any aircraft's approach or departure airspace or *Air Operations Area*)?

☐ Yes ☐ No

7. Provide a copy of the **Facility Operations and Maintenance Manual** as APPENDIX SITE & OP – FACILITY O&P MANUAL. (The O & P Manual must describe, in specific detail, how the sewage sludge will be managed during all phases of processing operations. See LAC 33:IX.6905.B.1.a.ii for a list of the minimum items that the O & P Manual must address.).

8. The application submitted will be considered for a permit having an effective time period of five (5) years. Therefore, the sewage sludge and grease waste preparation units described in the permit and outlined in the "Property Layout Map" of Attachment #4 of the permit application that will not be in operation before the expiration of the five (5) year period must be removed and a revised "Property Layout Map" must be submitted. Additional future preparation units must be addressed in a future permit modification, as needed.

9. Please complete the following certification and submit with the responses to the Items in 1-7 above:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with the system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and Official Title: _____

Signature _____

Telephone number: _____

Date signed: _____

If the application was completed by a person other than the applicant or a consultant "officially" representing the applicant, complete the following:

Name and Official Title: _____

• **Name of Firm/Organization/Business:** _____

• **Signature** _____

Telephone number of the Person who filled out the application:

Date signed: _____

Professional License Number or "Official" Seal: _____
or Affix "Official" Seal Here →

July 31, 2006: The Additional Information Package was mailed out to McDonald Sanitation Services, L.L.C.

July 31, 2006 – March 6, 2007: No reply from the owners/operators of McDonald Sanitation Services, L.L.C. to the Additional Information Package mailed out on **July 31, 2006**. Therefore, several undocumented phone calls, emails, and one contact by the Enforcement Section were made to obtain some form of status or reply to the Additional Information request.

March 6, 2007: Ms. Melinda Rodrigue of McDonald Sanitation Services, L.L.C. contacted DEQ to obtain regulatory information and to request that a copy of the **July 31, 2006** letter be emailed to her. DEQ emailed information to Ms. Rodrigue regarding how to access the regulations off of the DEQ Sewage Sludge/Biosolids Internet site and emailed a copy of the **July 31, 2006** letter.

May 7, 2007: Received a response to the **July 31, 2006** Additional Information request from Mr. Cy J. Toups of T. Baker Smith, Inc. on behalf of McDonald Sanitation Services, L.L.C.

October 22, 2007: After a completion of a review of the response submitted on **May 7, 2007**, it was determined that the information submitted was still incomplete. Therefore, in an effort to attempt to expedite the permit process, an email was sent to Mr. Cy J. Toups outlining the incomplete information.

November 19, 2007: A response was received from Mr. Cy J. Toups to the email sent on **October 22, 2007**.

November 20, 2007: The response received via email from Mr. Cy J. Toups on **November 19, 2007** was reviewed and there existed clarification on two more issues. Therefore, an email was returned to Mr. Toups requesting clarification of the two remaining issues.

December 13, 2007: No response was received thereafter although the Regional Office did make a site visit and indicated that the owners/operators of McDonald Sanitation Services, L.L.C. were awaiting their permit and wanted a status on the permit. Therefore, another email was sent out to Ms. Rodrigue that included the original email that was sent to Mr. Toups on **November 20, 2007**.

January 10, 2008: A response to the final two issues was received from Mr. Toups on behalf of McDonald Sanitation Services, L.L.C. in the form of an email with necessary attachments.

January 14, 2008: A hard copy of the email of **January 10, 2008** was received.

January 18, 2008: Completed the review of the submitted material. The material along with all of the information submitted in the past documents and emails were found to be sufficient to proceed with the development of a Draft Sewage Sludge and Biosolids Use or Disposal Permit Package.

January 25, 2008: Completed the Draft Sewage Sludge and Biosolids Use or Disposal Permit Package.

January 28, 2008: The Draft Sewage Sludge and Biosolids Use or Disposal Permit Package was routed for review and approval and signature.

Package Prepared By: J. Kilren Vidrine
Water Permits Division